

Message Text

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72

ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 CU-04 EB-11 OIC-04 AF-10 ARA-16

EA-11 NEA-14 RSC-01 CIAE-00 INR-10 NSAE-00 L-03 DRC-01

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R 091742Z MAY 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 2429

INFO USMISSION GENEVA

USMISSION BERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

USMISSION USUN NEW YORK

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E.O.: 11652 N/A

TAGS: EIND, PFOR, GW, GE, UK, FR

SUBJECT: GDR AND INDUSTRIAL PROPERTY CONVENTION

REF: STATE 31359

BEGIN SUMMARY: WHILE UK, FRANCE AND FRG HAVE NO OBJEC-
TIONS TO US PROPOSAL ON DATE OF US APPLICATION OF
STOCKHOLM REVISION TO GDR, UK AND FRANCE RAISED SEVERAL
PRACTICAL QUESTIONS. END SUMMARY

1. SHORTLY AFTER RECEIPT OF REFTL, DEPARTMENT RAISED
US PROPOSAL IN BONN GROUP, REQUESTING VIEWS ON
PROPOSED APPLICATION BY US OF STOCKHOLM REVISION OF
PARIS INDUSTRIAL PROPERTY CONVENTION TO GDR THREE
MONTHS FROM DATE ON WHICH US INTENTION HAS BEEN
NOTIFIED TO CONTRACTING PARTIES BY WIPO DIRECTOR
GENERAL.

2. AT BONN GROUP MEETING APRIL 17, FRG RAISED NO
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OBJECTION TO US PROPOSAL. UK REPS STATED THAT UK

COULD NOT ACCEPT DATE ON WHICH GDR JOINED UNESCO (NOVEMBER 24, 1972) AS OPERATIVE DATE FOR APPLICATION OF STOCKHOLM REVISION TO GDR AS UK HAD ISSUED DISCLAIMER AT THAT TIME TO EFFECT THAT GDR WAS NOT SOVEREIGN STATE. FIRST POSSIBLE DATE FOR UK RECOGNITION OF APPLICATION TO GDR WAS DECEMBER 22, 1972, WHEN BRITAIN FORMALLY RECOGNIZED GDR. BY TWO ORDERS IN COUNCIL ON MAY 21, 1973, UK GAVE EFFECT UNDER DOMESTIC LEGISLATION TO APPLICATION OF STOCKHOLM REVISION TO GDR. HOWEVER, UK HAD NO OBJECTION TO US PROPOSAL AND BELIEVED THAT INDIVIDUAL NATIONS COULD MAKE OWN ARRANGEMENTS FOR APPLICATION TO GDR OF STOCKHOLM REVISION.

3. AT APRIL 25 MEETING FRENCH REP STATED THAT FRG AND GDR HAVE BETWEEN THEMSELVES BEEN APPLYING STOCKHOLM REVISION FOR YEARS, ACCORDING TO STUDY OF FRENCH FOREIGN MINISTRY. FRENCH GOVERNMENT WOULD FIND IT DIFFICULT TO ESPOUSE STATE DEPARTMENT PROPOSAL CONTAINED REFTEL AS THEIR VIEW. FRENCH REP SAID STOCKHOLM REVISION IS NOT IN ITSELF A CONVENTION BUT MERELY A REVISION OF THE PARIS INDUSTRIAL PROPERTY CONVENTION, AND NOT ONLY PARIS AND STOCKHOLM AGREEMENTS WERE INVOLVED BUT ALSO A VARIETY OF OTHER INTERNATIONAL ACCORDS, SOME GOING BACK AS FAR AS 1857, MANY PREDATING WORLD WAR II AND THUS THE EXISTENCE OF GDR. WHILE FRENCH REP INTERPOSED NO OBJECTIONS TO US APPLICATION OF STOCKHOLM REVISION RE GDR WHENEVER US WISHES TO DO SO, FRENCH REP REQUESTED US VIEWS RE STATUS OF ALL RELEVANT PRE-WORLD WAR II CONVENTIONS. UK AND FRG REPS ALSO EXPRESSED INTEREST IN US VIEWS ON THIS POINT. WHILE US VIEWS WERE NOT SPECIFICALLY REQUESTED ON FOLLOWING POINT, DOES DEPARTMENT HAVE ANY VIEWS ON POSSIBLE TECHNICAL PROBLEMS THAT MIGHT ARISE IF FRENCH USE NOVEMBER 24, 1972 AS RECOGNITION DATE FOR APPLICATION OF STOCKHOLM REVISION TO GDR, WHILE UK USES DECEMBER 22, 1972 AND US USES DATE THREE MONTHS FROM DATE OF US NOTIFICATION OF ITS INTENTION?

4. EMBASSY SUGGESTS DEPARTMENT FURNISH EMBASSY WITH LIMITED OFFICIAL USE

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USG VIEWS ON ABOVE MATTERS AND INSTRUCT GENEVA RE DISCUSSION OF MATTER WITH WIPO SECRETARIAT PROVIDED NO PRACTICAL OR OTHER DOUBTS TO WISDOM OF US PROPOSED ACTION ARE RAISED BY FRENCH AND UK QUESTIONS. HILLENBRAND

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